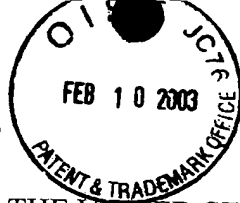


202574US3PCT



#8
TL 2/21/03

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Yoichi NEMUGAKI, et al.

SERIAL NO: 09/763,235

FILED: February 20, 2001

FOR: DEVICE AND METHOD FOR AIR-COOLED
REINFORCING OF GLASS SHEET

:

: EXAMINER: LOPEZ, C

:

: GROUP: 1731

RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER OF PATENTS
WASHINGTON, DC 20231

SIR:

In response to the Restriction Requirement stated in the Official Action dated January 9, 2003, Applicants provisionally elect Group (Invention) II, Claims 6-10, drawn to an air-cooling/tempering method. Applicants respectfully traverse the outstanding Restriction Requirement. The outstanding Office Action states that the inventions, Groups I and II, do not relate to a single general inventive concept under PCT Rule 13.1 because they lack the same or corresponding special technical features. However, MPEP §803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

In the present application, Claims 1-5 and 11-13 are directed to air-cooling/tempering devices and Claims 6-12 are directed to air-cooling/tempering methods. Hence, it appears that these claims according to the present invention are part of an overlapping search area and that a

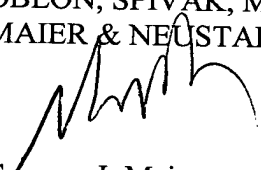
RECEIVED
FEB 13 2003
TC 1100 MAIL ROOM

search for Claims 6-10 would necessarily include a search directed to the rest of the claims as well. It is therefore believed that there is no undue burden on the Examiner to search all the claims under MPEP §803, and Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-13 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No: 25,599
Robert T. Pous
Registration No: 29,099
Attorneys of Record



22850

(703) 413-3000
(703)413-2220 (fax)
GJM/RTP/AY:fmw
I:\ATTY\AKY\20s\202574\rest.wpd



Docket No.: 202574US3PCT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



ATTORNEYS AT LAW

GREGORY J. MAIER
(703) 413-3000
GSPAHN@OBLON.COM
*BAR OTHER THAN VIRGINIA

ROBERT T. POUS
(703) 413-3000
RPOUS@OBLON.COM

RE: Application Serial No.: 09/763,235
Applicants: Yoichi NEMUGAKI, et al.
Filing Date: February 20, 2001
For: DEVICE AND METHOD FOR AIR-COOLED
REINFORCING OF GLASS SHEET
Group Art Unit: 1731
Examiner: LOPEZ, C

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier

Registration No. 25,599

Robert T. Pous

Registration No. 29,099



22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

I:\USER\FMWIN\20S\202574\PT0 SHTCOV.DOC

1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A.
TELEPHONE: 703-413-3000 FACSIMILE: 703-413-2220 WWW.OBLON.COM

RECEIVED
FEB 13 2003
TC 1700 MAIL ROOM